

Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Lawrence B. Bugaisky
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Heidi L. Kraus
Edward W. Yee
Albert L. Ferro
Donald R. Banowit
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Kimberly N. Reddick
Theodore A. Wood

Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
Jane Shershenovich
George S. Bardmesser
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
LuAnne M. DeSantis
John J. Figueroa
Ann E. Summerfield
Tiera S. Coston
Aric W. Ledford
Jessica L. Parezo

Timothy A. Doyle
Gaby L. Longworth
Nicole D. Dretar
Ted J. Ebersole
Jyoti C. Iyer
Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Helene C. Carlson
Matthew J. Dowd
Aaron L. Schwartz
Katrina Y. Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Eric D. Hayes
Michelle K. Holoubek
Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

May 17, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

WRITER'S DIRECT NUMBER:
(202) 772-8675
INTERNET ADDRESS:
JHELVEY@SKGF.COM

Art Unit 2661

Re: U.S. Utility Patent Application
Appl. No. 10/748,290; Filed: December 31, 2003
For: **Apparatus and Method for Communicating Arbitrarily Encoded Data
Over a 1-Gigabit Ethernet**
Inventors: Brown *et al.*
Our Ref: 1875.3920005

Sir:

Transmitted herewith for appropriate action are the following documents:

1. An original executed Power of Attorney from Assignee;
2. A Statement Under 37 C.F.R. § 3.73(b) from Assignee with a copy of the Assignment (not for recordation) attached; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey T. Helvey
Attorney for Applicants
Registration No. 44,757

JTH/LAG/lam
Enclosures

264659.1



POWER OF ATTORNEY FROM ASSIGNEE

Broadcom Corporation, a corporation of California, having a principal place of business at 16215 Alton Parkway, Irvine, California 92618-3616, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on (1) December 14, 2003 and (2) December 22, 2003 of an invention known as Apparatus and Method for Communicating Arbitrarily Encoded Data Over a 1-Gigabit Ethernet (Attorney Docket No. 1875.3920005), which is disclosed and claimed in a patent application of the same title by the inventors (1) Kevin Brown and (2) Richard G. Thousand (said application filed on December 31, 2003 at the U.S. Patent and Trademark Office, having Application Number 10/748,290).

The Assignee hereby appoint the U.S. attorneys James D. Bennett, Registration No. 37,550, Jeffrey DeRoy Wheeler, Registration No. 39,066; Noel Benjamin Whitley, Registration No. 42,225; and Harry Shannon Tyson, Jr., Registration No. 42,193, of Broadcom Corporation, 16215 Alton Parkway, Irvine, CA 92618-3616, and the attorneys associated with **CUSTOMER NUMBER 28393** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith, such attorneys currently being: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; Linda E. Alcorn, Esq., Reg. No. 39,588; Lawrence B. Bugaisky, Esq., Reg. No. 35,086; Donald J. Featherstone, Esq., Reg. No. 33,876; Robert C. Millonig, Esq., Reg. No. 34,395; Michael V. Messinger, Esq., Reg. No. 37,575; Judith U. Kim, Esq., Reg. No. 40,679; Timothy J. Shea, Jr., Esq., Reg. No. 41,306; and Patrick E. Garrett, Esq., Reg. No. 39,987. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
U.S.A.

Direct phone calls to 202-371-2600.

FOR: Broadcom Corporation
SIGNATURE: [Signature]
BY: Dee Henderson
TITLE: Manager, Intellectual Property Portfolio
DATE: May 10, 2004

260658.1



PTO/SB/98 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

1875.3920005

Applicant/Patent Owner: Brown et al.Application No./Patent No.: 10/748,290 Filed/Issue Date: December 31, 2003Entitled: Apparatus And Method For Communicating Arbitrarily Encoded Data Over A 1-Gigabit EthernetBroadcom Corporation, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ % in the patent application patent identified above by virtue of either:
- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

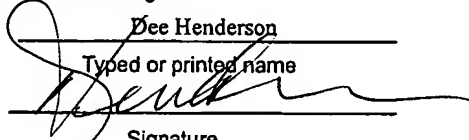
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 10, 2004
Date
949-9265958
Telephone number

Dee Henderson
Typed or printed name

Signature
Manager, Intellectual Property Portfolio
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: Kevin Brown and Richard G. Thousand, the undersigned inventors hereby sell and assign to Broadcom Corporation (the Assignee) his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

check applicable box(es)

- ☒ for the United States of America (as defined in 35 U.S.C. § 100),
- ☒ and throughout the world,

(a) in the invention(s) known as Apparatus and Method for Communicating Arbitrarily Encoded Data Over a 1-Gigabit Ethernet for which application(s) for patent in the United States of America has (have) been executed by the undersigned on _____ and _____ (also known as United States Application No. to be assigned, filed herewith), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agree to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventors agree to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventor(s) hereby represent(s) that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s) James D. Bennett, Registration No. 37,550, Jeffrey DeRoy Wheeler, Registration No. 39,066; Noel Benjamin Whitley, Registration No. 42,225; and Harry Shannon Tyson, Jr., Registration No. 42,193, of Broadcom Corporation, 16215 Alton Parkway, Irvine, CA 92618-3616, and Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire, Registration No. 36,203; John M. Covert, Esquire, Registration No. 38,759; Linda E. Alcorn, Esquire, Registration No. 39,588; Lawrence B. Bugaisky, Esquire, Registration No. 35,086; Donald J. Featherstone, Esquire, Registration No. 33,876; Robert C. Millonig, Esquire, Registration No. 34,395; Michael V. Messinger, Esq., Registration No. 37,575; Judith U. Kim, Esq., Registration No. 40,679; Timothy J. Shea, Jr., Esq., Registration No. 41,306; and Patrick E. Garrett, Esq., Registration No. 39,987; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Washington, D.C. 20005-3934 power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

DO NOT FORWARD
TO ASSIGNMENT BRANCH
NOT FOR RECORDATION

IN WITNESS WHEREOF, executed by the undersigned inventor(s) on the date opposite his/her name.

Date: 12-14-03 Signature of Inventor: Kevin Brown
Date: 12/22/03 Signature of Inventor: Richard G. Thousand

SKGF_DC1:7219.1

DO NOT FORWARD
TO ASSIGNMENT BRANCH
NOT FOR RECORDATION